THE HON'BLE SRI JUSTICE V.V.S.RAO

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WRIT PETITION No.3422 of 2005

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Dated:13.03.2006

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Between:

Jampala Polaiah, S/o.Venkaiah.

…Petitioner

And

Joint Collector, Nellore, and others.

…Respondents

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THE HON'BLE SRI JUSTICE V.V.S.RAO

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WRIT PETITION No.3422 of 2005

ORDER:

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The petitioner is allegedly owner of the land admeasuring Ac.1.50 cents in Survey No.609 situated in Purini Village of Allur Mandal, Nellore District. He alleges that as the other farmers in the neighbourhood converted their lands into prawn culture ponds, he had no other go, and therefore, he also constructed prawn culture pond by spending a sum of Rs.75,000/-. The third respondent filed W.P.No.4587 of 2004 for a declaration that the action of the revenue officials in not taking action for removal of prawn ponds in Survey No.609 is illegal and arbitrary. This Court by order dated 11.10.2004, while following the decision of the Division Bench of this Court in **Madireddy Padma Rambabu v. District Forest Officer, Kadinada** directed the respondents not to allow any person to carry on the activities of shrimp culture or prawn culture without obtaining the prior permission from the competent authority. The petitioner alleges that the second respondent herein, namely, the Mandal Revenue Officer, issued a notice on 25.11.2004 purportedly in obedience to the orders of this Court in the above judgment and directed the petitioner to remove the prawn culture tanks. The petitioner, therefore, filed the present writ petition seeking invalidation of the said notice.

There is no dispute that the third respondent herein filed W.P.No.4587 of 2004, wherein this Court directed the respondents herein not to allow anybody to carry on prawn culture and shrimp culture. The second respondent issued the impugned notice in obedience to the orders of this Court. The same cannot be termed as illegal or arbitrary. This Court followed the decision of the Supreme Court in **S.Jagannath v. Union of India** while passing orders in **Madireddy Padma Rambabu v. District Forest Officer, Kadinada** (supra).

The Writ Petition is accordingly dismissed. No costs.

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(V.V.S.RAO, J)

13.03.2006

vs